

**REMARKS**

Claims 1-10 are currently pending in the application. Claims 1-10 have been amended. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,621,483 to Wallace et al. ("Wallace") in view of U.S. Patent No. 5,624,117 to Ohkubo et al. ("Ohkubo").

Wallace teaches a device for navigating a pointer in a two-dimensional environment. The device includes an imaging surface on which a user can place a finger. A motion transducer measures the motion of a user's finger on the imaging surface. When the user removes the finger from the imaging surface, the pointer continues to move in the most recent direction and gradually decelerates until it is stopped.

Ohkubo discloses a game machine controller with keys that control the movement of an image subject displayed on a monitor screen in a three-dimensional environment. The controller comprises three separate mechanical input mechanisms, one for each degree of motion.

Independent claim 1 relates to a method of navigating in a virtual three-dimensional environment. Applicant respectfully submits that the combination of Wallace and Ohkubo fails to teach, suggest, or obviate at least one of the distinguishing features of independent claim 1, namely, applying a finger of a user to a movable physical member and navigating a step upwards in a hierarchy of commands in the virtual three-dimensional environment. In addition, the cited combination fails to disclose wherein the virtual three-dimensional environment comprises a hierarchically organized menu system in an electronic device.

Wallace discloses a first set of movement data that is indicative of a relative movement between an imaging surface and an optical pointing device prior to loss of contact. Wallace further disclose generating a second set of movement data based on the first set of

movement data when a loss of contact occurs. The second set of movement data causes a gradual decrease in a velocity of the screen pointer. In contrast to claim 1, the second set of movement data as disclosed in Wallace appears to be in the same direction and plane as the first set of movement data and not in a virtual three-dimensional environment. In addition, Wallace fails to disclose a three-dimensional environment comprising a hierarchically organized menu system. Ohkubo discloses the use of three separate depressable keys to navigate in a three-dimensional environment but fails to disclose navigating by removing a finger from the movable physical member and re-applying the finger to the movable physical member within a set time limit as claimed. In addition, Ohkubo fails to disclose a three-dimensional environment comprising a hierarchically organized menu system. Applicant respectfully submits that independent claim 1 distinguishes over the combination of Wallace and Ohkubo and respectfully requests that the rejection thereof be withdrawn.

Additionally, Applicant first respectfully submits that there is no motivation to combine Wallace and Ohkubo. Wallace teaches a device for navigating a pointer in a two-dimensional environment. Wallace provides no indication of navigating the pointer in a three-dimensional environment. Ohkubo discloses the use of three separate depressable keys to navigate in a three-dimensional environment but fails to disclose motion in a three directional environment using a singular movable physical member for navigating in a virtual three-dimensional environment as claimed.

Applicant respectfully submits that combining the use of three separate depressable keys to navigate in a three-dimensional environment with the device for navigating a pointer in a two-dimensional environment taught by Wallace would render the device for navigation in two dimensions using the users finger unnecessary. Therefore, there would be no motivation to combine Wallace and Ohkubo. Given the above, Applicant respectfully submits that there is no motivation to combine the teachings of Wallace and Ohkubo as suggested by the Office Action. Indeed, even if the teachings of Wallace and Ohkubo were somehow combined as suggested by the Office Action, the combination would result in a device according to Wallace with a depressable key for controlling navigation in the third dimension.

For this additional reason, Applicant respectfully submits that independent claim 1 distinguishes over the cited combination of Wallace and Ohkubo. Withdrawal of the rejection of independent claim 1 is respectfully requested.

Dependent claim 2 depends from and further restricts independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claim 2 distinguishes over the cited combination of Wallace and Ohkubo and are in condition for allowance. Withdrawal of the rejection of dependent claim 2 is respectfully requested.

Independent claim 3 relates to an electronic device. Applicant respectfully submits that the combination of Wallace and Ohkubo fails to teach, suggest, or obviate at least one of the distinguishing features of independent claim 3, namely, a movable physical member for navigating in a virtual three-dimensional environment, the movable physical member is arranged for being controlled by a finger of a user applied to a user surface of the movable physical member. In addition, Applicant respectfully submits that the combination of Wallace and Ohkubo fails to disclose a sensing means wherein the sensing means being electrically connected to a timer adapted to start counting when the finger is removed from the user surface of the movable physical member and to stop when the finger is re-applied to the user surface of the movable physical member. Additionally, Applicant submits that claim 3 patentably distinguishes over Wallace and Ohkubo for similar reasons to those discussed above with respect to independent claim 1. Applicant respectfully requests that the rejection of independent claim 3 as unpatentable over Wallace in view of Ohkubo be withdrawn.

In addition, Applicant respectfully submits the cited combination of Wallace and Ohkubo fails to disclose a sensing means wherein the sensing means being electrically connected to a timer adapted to start counting when the finger is removed from the user surface of the movable physical member and to stop when the finger is re-applied to the user surface of the movable physical member. In addition, according to claim 3, the electronic device is arranged to perform a step upwards in a hierarchy of commands in the virtual three-dimensional environment if the timer counting is below a set limit. In contrast to claim 3, in Wallace, motion is initiated as soon as the user removes the finger from the device and not when the user removes

and replaces the finger within the set limit as claimed. For this additional reason, Applicant respectfully submits that independent claim 3 distinguishes over the cited combination of Wallace and Ohkubo. Withdrawal of the rejection of independent claim 3 is respectfully requested.

Dependent claims 4-10 depend from and further restrict independent claim 3 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 3, dependent claims 4-10 distinguish over the combination of Wallace and Ohkubo and are in condition for allowance. Withdrawal of the rejection of dependent claims 4-10 is respectfully requested.

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance. A Notice to that effect is respectfully requested.

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Respectfully submitted,

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